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DEC -8 2004

Paper No. 10

In re Application of :  
Lee E. Cannon :  
Application No. 10/037,446 : DECISION ON PETITION  
Filed: January 2, 2002 :  
Attorney Docket No. 29757/AG75/US :

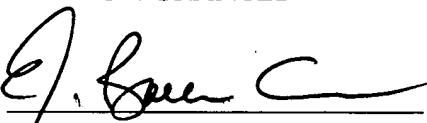
This is a decision on the petition filed by facsimile transmission on July 6, 2004 by which petitioner requests withdrawal of the holding that this application stands abandoned for failure to file a timely and proper reply to the Office letter dated October 27, 200304. The petition is considered pursuant to 37 CFR 1.181, and no fee is required.

The petition is granted.

Petitioner alleges that this application is not abandoned because petitioner filed a timely and proper reply to the Office letter in question. Petitioner supports this allegation by furnishing a copy of the reply and a copy of a postcard receipt for the reply, which shows that the reply was received in the Office on November 24, 2003, a date within the period set for filing a reply to the Office letter in question. Based upon the showing submitted by petitioner, it is clear this application is not abandoned.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the Head Supervisory Applications Examiner for Technology Center 3700 to enter the reply attached to the petition. The reply is entitled to a filing date of November 24, 2003. After entry of the reply, the application will be forwarded to the examiner for appropriate action.

PETITION GRANTED

  
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